

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: SCOTT GOLDTHWAITE

Serial No.: 10/625,823

Filed: 7/23/2003

Attorney Docket No.: WS-102

Title: MOBILE DEVICE EQUIPPED WITH A CONTACTLESS SMART
CARD READER/WRITER

Office Action Mailed: 9/24/2007

Confirmation No: 7792

ART UNIT 2685

Date Mailed: 10/26/2007

EXAMINER: CHRISTIAN A HANNON

Honorable Commissioner for Patents

P.O.Box 1450, Alexandria, VA 22313-1450

INTERVIEW SUMMARY

In response to the Office communications concerning the above mentioned application of September 24, 2007 Applicant requested an interview with the Examiner and the Supervisory Patent Examiner.

Interview summary begins on page 2 of this paper.

Examiner's Interview Summary attached at the end of this paper.

INTERVIEW SUMMARY

We would like to thank Examiner Christian Hannon and SPE Edward Urban for the interview of October 9, 2007.

Claims 1-15 were rejected again under 35 U.S.C. 103(a) as being unpatentable over Song et al (US Patent Application Publication U.S. 2002/0047045, in view of Fox et al (US 5, 943,624). The same rejection reasons were presented as in the previous office action of April 19, 2007. In response to the Applicant's arguments filed on 7/6/2007, the Examiner argued that the "external smart card slot", "smart card connector" and "smart card interface unit" of figure 4 of Song are interpreted as reading on the limitation of claim 1 of 'a contactless smart card reader/writer module electrically connected to said wireless mobile device via said SIM card slot'. The Examiner further argued that the "smart card interface unit" as taught by Song in figure 4 is configured for read/write operations. In regards to the Fox reference, the Examiner argued that "the examiner has construed any smart card capable of updating data is a smart card reader/writer".

Applicant requested a personal interview with the Examiner and the Examiner's Supervisor. The interview request was granted and an interview took place October 9, 2007 at the USPTO in the office of SPE Edward Urban. Present were Examiner Christian Hannon, SPE Edward Urban and Applicant's representative Alik Collins.

At the interview, applicant's representative pointed out that the "external smart card slot" of figure 4 of Song is shown to be connected only to "the smart connector", and is not connected to anything else. Therefore, it cannot be interpreted as connecting element A (i.e., contactless smart card reader/writer module) to element B (i.e., wireless mobile device). Furthermore, as shown in figure 7, Song clearly teaches away from such an interpretation because the smart card reader is shown to connect to the palm pilot via the expansion slot. Regarding the Examiner's argument that "any smart card capable of

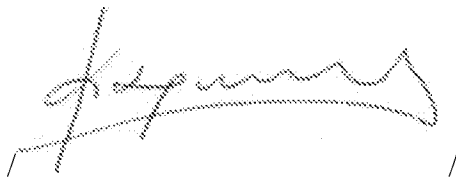
updating data is a smart card reader/writer” applicant’s representative pointed out that all known smart cards are functionally and technologically different from smart card reader/writes and accordingly the Examiner’s assertion is unfounded.

The SPE agreed that there is novelty in claim 1 of the present invention and that the 35 U.S.C. 103(a) rejection over Song et al, in view of Fox et al (US 5, 943,624) is overcome. The SPE further suggested including the limitation of dependent claim 5 in claim 1 to show “operability” of the invention.

Although, one does not look to the claims but to the specification to find out how to practice the claimed invention (W.L. Gore&Assoc., Inc. V. Garlock Inc., 721 F.2d 1540, 1558, 220 USPQ 303, 316-17 Fed. Cir. 1983) (see MPEP 2164.08), Applicant’s representative agreed to such an amendment in order to proceed with the allowance of the case. It was agreed that the Examiner would update the search prior to proceeding with such an amendment and the allowance of pending claims 1-15.

If there is a question regarding this summary, or if a telephone conference would otherwise be helpful, please call the undersigned at 617-558-5389

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Aliko K. Collins', with a stylized flourish at the end.

Aliko K. Collins, Ph.D.

Reg. No. 43,558

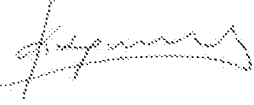
AKC Patents, 215 Grove Street, Newton, MA 02466

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Date of Deposit 10/26/07

Name: Aliko K. Collins, Ph.D. Signature

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I hereby certify under 37 CFR 1.10 that this correspondence is being electronically submitted on the date indicated above and is addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

Interview Summary

Application No.

10/625,823

Applicant(s)

GOLDTHWAITE ET AL.

Examiner

Christian Hannon

Art Unit

2618

All participants (applicant, applicant's representative, PTO personnel):

(1) Christian Hannon

(3) Edward Urban

(2) Aliki Collins

(4) _____

Date of Interview: 09 October 2007

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No

If Yes, brief description: _____

Claim(s) discussed: _____


Identification of prior art discussed: Song and Fox

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: It was proposed to include the limitations of claim 5 into independent claim 1 to describe the application program used to properly receive the smart card signals. The examiner will update the search prior to examiner's amendment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required